

CERTIFIED TRUE COPY

FILED

JAN 16 2002

STATE OF NEW JERSEY  
DEPARTMENT OF LAW & PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS  
STATE BOARD OF PHARMACY

IN THE MATTER OF THE SUSPENSION	:	Administrative Action
OR REVOCATION OF THE LICENSE OF	:	
	:	
FRANK DUNCAN KOLANDRA	:	FINAL ORDER
	:	OF DISCIPLINE
	:	
TO PRACTICE PHARMACY IN THE	:	
STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Pharmacy upon receipt of information which the Board has reviewed and on which the following findings of fact and conclusions of law are made.

FINDINGS OF FACT

1. Respondent is a pharmacist in the State of New Jersey and has been a licensee at all times relevant hereto.
2. On August 24, 2001 respondent was convicted in the Superior Court of New Jersey, Cape May County of the crime of Endangering the Welfare of a Child. Respondent knowingly permitted his seven (7) year old daughter to be physically and emotionally abused by her stepmother, Wanda Kolandra. (A copy of the Judgment of Conviction and Indictment are annexed hereto and made a part hereof.)

3. The following disciplinary sentence was ordered: five (5) years probation, no contact permitted with his seven (7) year old daughter/victim till further order of the court.

#### CONCLUSIONS OF LAW

1. The above conviction provides grounds for the suspension of his license to practice pharmacy in New Jersey pursuant to N.J.S.A. 45:1-21(f) in that the crime of which respondent was convicted is one of moral turpitude.

Based on the foregoing findings and conclusions, a Provisional Order of Discipline revoking respondent's license to practice pharmacy in the State of New Jersey was filed on October 29, 2001 and a copy served on respondent. The Provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30<sup>th</sup> business day following entry unless respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor. The respondent submitted a psychological evaluation performed by Dr. Pamela Kane and the statements of Wanda and Frank Kolandra made to investigators in the criminal matter.

Respondent's submissions were reviewed by the Board and the Board determined that further proceedings were not necessary and that no material discrepancies had been raised. The Board was not persuaded that the submitted materials merited further consideration as respondent did not refute the Findings of Fact or Conclusions of Law.

Respondent has pled guilty to endangering the welfare of his own child, clearly a crime of moral turpitude. Moreover, the Honorable Carmen Alvarez, J.S.C. emphasized at the time of sentencing "... although it is clear that a term of probation is technically correct, it does not necessarily seem fair. This defendant, an educated man, a pharmacist, shows no appreciation of the devastation he has inflicted on his children. He seems as indifferent today to their well-being as he was when he and his wife tortured his seven-year old daughter."

ACCORDINGLY, IT IS ON THIS 9<sup>th</sup> DAY OF January, 2002,  
ORDERED that:

1. Respondent's license to practice pharmacy in the State of New Jersey be and hereby is revoked. Respondent shall have no right to apply for reinstatement until termination of the criminal probation and not less than two (2) years from the date of entry of the within Order.

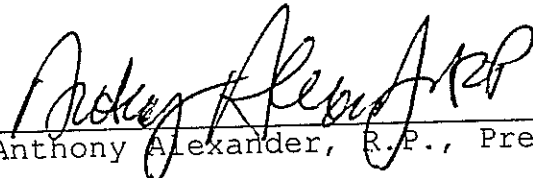
2. Respondent shall cease and desist from engaging in the practice of pharmacy including the following: respondent shall

not handle, order, inventory, compound, count, fill, or refill or dispense any drug; he shall not handle anything requiring a prescription including devices and medications; he shall not handle prescriptions; he shall not advise or consult with patients and he is prohibited from being present within a prescription filling area of a pharmacy.

3. Prior to resuming active practice in New Jersey respondent shall be required to appear before the Board (or a committee thereof) to demonstrate his fitness to do so, and any practice in this State pursuant to paragraph 2 prior to said appearance shall constitute grounds for the charge of unlicensed practice. In addition, the Board reserves the right to place restrictions on respondent's practice should his license be reinstated.

NEW JERSEY STATE BOARD OF PHARMACY

By:

  
Anthony Alexander, R.P., President

SUPERIOR COURT  
CAPE MAY COUNTY  
FILED

MAR 27 2001

DEPUTY CLERK OF THE SUPERIOR COURT

Case No. 01000166

JULY TERM 2000  
MARCH SESSION 2001

A TRUE COPY

Clerk

SUPERIOR COURT OF NEW JERSEY  
CAPE MAY COUNTY  
LAW DIVISION  
(Criminal)

INDICTMENT NO. 01-03-0016

THE STATE OF NEW JERSEY

vs.

WANDA KOLONDRAS,  
FRANK DUNCAN KOLONDRAS,  
Defendants.

Endangering the Welfare  
of a Child  
N.J.S.A. 2C:24-4a  
2<sup>nd</sup> Degree  
Aggravated Assault  
N.J.S.A. 2C:12-1b(1)  
2<sup>nd</sup> Degree

ANK O KOLONORA

TE OF BIRTH 05/28/1967  
TE OF ARREST 02/23/2001  
TE OF THE  
ORIGINAL PLEA 05/03/2001

S.B.I.\*  
DATE IND/ACCUSATION FILED 03/27/2001  
ORIGINAL PLEA WAS  
XX NOT GUILTY — GUILTY

624014C

XX JUDGMENT OF CONVICTION  
CHANGE OF JUDGMENT  
ORDER FOR COMMITMENT  
INDICTMENT/ACCUSATION DISMISSED  
JUDGMENT OF ACQUITTAL

JUDICATION BY XX GUILTY PLEA DATE 06/21/2001  
— JURY TRIAL DATE

— NON-JURY TRIAL DATE  
— DISM/ACQUITTED DATE

SUPERIOR COURT  
CAPE MAY COUNTY

FILED  
SEP 04 2001

ORIGINAL CHARGES ON IND 01-03-00164-1  
COUNT(S) DESCRIPTION  
11 ENDANGER WELFARE CHILD-DUTY

DEGREE STATUTE  
2 2C:24-4A

*Charles E. McElroy*  
CLERK OF SUPERIOR COURT

INAL CHARGES  
COUNT(S) DESCRIPTION  
KEND. 001 ENDANGER WELFARE CHILD-DUTY

DEGREE STATUTE  
3 2C:24-4A

IT IS THEREFORE ON AUGUST 24 2001 ORDERED AND ADJUDGED THAT THE DEFENDANT IS SENTENCED AS FOLLOWS:

T. 1. 10 COUNTY JAIL. CETS 10. SYRS PRBTM. 500HRS CMNTY SVCC, 30HRS PER WK CMNGNG OCT. VCCR \$100, SECP \$75, 2  
30. PRBTM SPVSK FEE \$25WKLY. NO CNTCT W/VCTM UNTIL FURTHER COURT ORDER. MUST CONTINUE IN TREATMENT, CMPLY W/  
INDTNS. NO CMNTY JOB OR SVCS INVOLVING CHILDREN. DSM CT.2.

A TRUE COPY  
*Charles E. McElroy*  
CLERK

( ) IT IS ORDERED THAT THE SHERIFF DELIVER THE DEFEND. TO THE APPROPRIATE CORRECTIONAL AUTHORITY.  
(X) DEFENDANT RECEIVES CREDIT FOR TIME SPENT IN CUSTODY  
TOT. DAYS 1 DATES 02-23-2001 TO 02-23-2001  
( ) DEFENDANT RECEIVES GAP TIME CREDIT FOR TIME SPENT IN CUSTODY  
TOT. DAYS — DATES  
TOT. CUSTODIAL TERM 00Y 00M 00D INSTITUTION: COUNTY JAIL  
TOT. PROBATION: 05Y 00M

SUPERIOR COURT  
CAPE MAY COUNTY  
NJ

MAR 27 2001

*[Signature]*  
DEPUTY CLERK OF THE SUPERIOR COURT

Case No. 01000166

JULY TERM 2000  
MARCH SESSION 2001

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*[Signature]*  
Clerk

SUPERIOR COURT OF NEW JERSEY  
CAPE MAY COUNTY  
LAW DIVISION  
(Criminal)

INDICTMENT NO. 01-03-00164

THE STATE OF NEW JERSEY

vs.

WANDA KOLONDRAS,  
FRANK DUNCAN KOLONDRAS,  
Defendants.

Endangering the Welfare  
of a Child  
NJSA 2C:24-4a  
2<sup>nd</sup> Degree  
Aggravated Assault  
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SUPERIOR COURT  
CAPE MAY COUNTY

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COUNT(S) DESCRIPTION  
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DEGREE STATUTE  
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COUNT(S) DESCRIPTION  
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COUNTY JAIL

TOT. PROBATION:05Y